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United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
New York, 27 August-7 September 2012

Draft outcome documents of the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

The present document contains the following draft outcome documents of the Second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects:

Annex I: 2012 Declaration

Annex II: Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects: Strengthened implementation at the national, regional and global levels, 2012-2018

Annex III: International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons: Implementation plan, 2012-2018

Annex IV: Schedule of meetings, 2012-2018

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Annex I

2012 Declaration

A renewed commitment to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects

1. We, the States participating in the Second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, convened in New York from 27 August to 7 September 2012 to review the progress of implementation and explore ways to strengthen implementation, reaffirm our support for and commitment to implement all the provisions of the Programme of Action and the International Tracing Instrument, with a view to ending the human suffering caused by the illicit trade in and uncontrolled spread of small arms and light weapons.

2. We reaffirm our respect for and commitment to international law and the purposes and principles enshrined in the Charter of the United Nations, as well as those set out in the Programme of Action.

3. We reaffirm the validity and vital importance of the Programme of Action as a global framework to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects, and remain convinced that its full and effective implementation is essential for furthering peace and security, protecting lives and promoting social, economic and human development.

4. We emphasize that the illicit trade in small arms and light weapons in all its aspects continues to sustain conflicts, exacerbate armed violence, undermine respect for international humanitarian law, aid terrorism, and facilitate increasing levels of transnational organized crime and of human, drug and other trafficking. By threatening security, safety and stability, the illicit trade in small arms and light weapons continues to have devastating humanitarian and socioeconomic consequences, including by impeding the provision of humanitarian assistance to victims of armed conflict, contributing to the displacement of civilians, and undermining sustainable development and poverty eradication efforts.

5. We remain mindful of the primary responsibility of Governments for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects and solving the problems associated with such trade, and of the importance of regional and international cooperation in reinforcing national implementation.

6. We welcome the considerable progress that has been made in implementing the Programme of Action and the International Tracing Instrument since their adoption, including on the establishment, strengthening and enforcement of national laws, regulations and administrative procedures to prevent the illicit trafficking and illegal manufacture of small arms and light weapons, the development of national action plans, the establishment of national points of contact, the submission of voluntary national reports and the strengthening of regional cooperation, as well as the progress made in implementing a wide range of specific measures, including on stockpile security, the collection and destruction of illicit small arms and light weapons, the marking of small arms and light weapons, and technical training.

6 bis. We welcome the significant role of regional and subregional organizations, initiatives and instruments in raising awareness, building capacity and promoting cooperation to support States in implementing the Programme of Action and the International Tracing Instrument.

7. We stress, however, that challenges and obstacles still remain to the full implementation of the Programme of Action and the International Tracing Instrument. We resolve to tackle these challenges.

8. We underline the need to follow up on the discussions held and recommendations made at previous meetings on the Programme of Action, including the Third Biennial Meeting of States (2008), the Fourth Biennial Meeting of States (2010) and the Open-ended Meeting of Governmental Experts (2011), and on related topics taken up by the General Assembly in the past decade, such as the negative humanitarian and development impact of the illicit manufacture, transfer and circulation of small arms and light weapons[a] and the prevention of armed violence.[b]

9. We support the further strengthening and development of norms and measures at the national, regional and global levels to reinforce and coordinate efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects.

10. We highlight that limited resources and the differing capacities of States still pose significant challenges and obstacles to realizing the goals of the Programme of Action. We underscore the continued necessity for international cooperation and assistance, and in particular the need for increased levels of technical and financial assistance, to build national and regional capacities to ensure the full and effective implementation of the Programme of Action and the International Tracing Instrument. The development and strengthening of partnerships, as well as the sharing of information, experience and training among competent officials such as customs, police, military, intelligence and arms control officials at the national, regional and global levels, are essential for meeting commitments under the Programme of Action.

11. We remain gravely concerned about the negative impact of the illicit trade in small arms and light weapons on women, children and the elderly, and highlight the need for evidence-based research to take special account of these groups. We underscore the need to further integrate the role of women into efforts to combat and eradicate the illicit trade in small arms and light weapons.

12. We welcome the important contributions of civil society organizations and industry in assisting States in many parts of the world in preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects, and encourage further partnerships to this end.

12 bis. We endeavour to take full advantage of the benefits of cooperation with international organizations such as the World Customs Organization, the International Criminal Police Organization (INTERPOL) and the United Nations regional disarmament centres.

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[a] See resolution 60/68.

[b] See resolution 63/23 and A/64/228.

13. We resolve to address the close link between the illicit trade in small arms and light weapons and armed violence, terrorism, transnational organized crime and trafficking in humans, drugs and natural resources, and to strengthen national, regional and international efforts aimed at combating this trade simultaneously from both a supply and a demand perspective, as well as the financing of this trade.

14. We renew our pledge to rid the world of the scourge brought upon it by the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many parts of the world. We commit to mobilizing the necessary political will and resources to implement the Programme of Action and the International Tracing Instrument. We aim to achieve clear and tangible results over the next six years that will improve the security, safety and livelihoods of our people by undertaking the measures set out in the accompanying implementation plans.

Annex II

Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Strengthened implementation at the national, regional and global levels, 2012-2018

1. At the Second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, convened at United Nations Headquarters in New York from 27 August to 7 September 2012, Member States, bearing in mind the different situations, capacities and priorities of States and regions, undertook the following measures to achieve full and effective implementation of the Programme of Action over the period 2012-2018.

I. Preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects at the national level

2. In the implementation of the Programme of Action at the national level and with a view to reducing the suffering caused by the illicit trade, excessive accumulation and uncontrolled spread of small arms and light weapons, Member States, where they have not yet done so, undertake:

(a) To support the development and implementation of adequate laws, regulations and administrative procedures to prevent the illegal manufacture of and illicit trade in small arms and light weapons in all its aspects and in their respective parts, components and ammunition, including illicit brokering and illicit craft production, taking into account the urgency of combating this trade simultaneously from both a supply and a demand perspective;

(b) To establish or strengthen, as appropriate, national coordination agencies or bodies to improve coordination among governmental agencies to implement the Programme of Action. This should include aspects of the illicit manufacture, control, trafficking, circulation, brokering and trade as well as tracing, finance, collection and destruction of small arms and light weapons, in particular among customs, border control, police, judicial and arms transfer licensing authorities;

(c) To establish or strengthen, as appropriate, a national point of contact to act as liaison between States on matters relating to the implementation of the Programme of Action and to share and update this information regularly;

(d) To ensure that international transfers of small arms and light weapons are authorized by Government;

(e) To put in place, where they do not exist, adequate laws, regulations and administrative procedures, including through available and relevant documents submitted by import countries and authorities, to exercise effective control over the production of small arms and light weapons within their areas of jurisdiction and

over the export, import, transit or retransfer of such weapons, including by strengthening the end-user certification and verification process, in order to prevent the illegal manufacture of and illicit trafficking in small arms and light weapons or their diversion to unauthorized recipients;

(f) To take appropriate measures against any activity that violates a United Nations Security Council arms embargo and to implement effective disarmament, demobilization and reintegration programmes within a peace operations framework;

(g) To ensure, subject to the respective constitutional and legal systems of States, that the armed forces, police or any other body authorized to hold small arms and light weapons establishes adequate and detailed standards and procedures relating to the management and security of their stocks of these weapons, and to ensure that such stocks declared by competent national authorities to be surplus to requirements are clearly identified, that programmes for the responsible disposal, preferably through destruction, of such stocks are established and implemented, and that such stocks are adequately safeguarded until disposal;

(h) To increase the participation and representation of women in small arms policymaking, taking into account the link between the Programme of Action, Security Council resolution 1325 (2000) and General Assembly resolution 65/69, and to explore means to eliminate the negative impact of the illicit trade in small arms and light weapons on women;

(i) To encourage, as appropriate, the development and implementation of national action plans, and to promote, on a voluntarily basis, the sharing of experiences on the design and implementation of such plans.

II. Preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects at the regional level

3. In implementing the Programme of Action at the regional level, Member States, in cooperation with the United Nations Regional Centres for Peace and Disarmament, where they have not yet done so, undertake:

(a) To encourage the establishment or designation, as appropriate, of a point of contact within subregional and regional organizations to act as liaison on matters relating to the implementation of the Programme of Action, including the sharing of experiences between the regions;

(b) To establish or strengthen regional and subregional coordination mechanisms on border control and to enhance cooperation at the regional level among customs, border control, police and judicial authorities in order to address the illicit trade in small arms and light weapons across borders;

(c) To enhance, where necessary, synergies between the Programme of Action and relevant regional and subregional instruments and processes, including those that are legally binding, and to encourage relevant regional and subregional instruments to develop, where appropriate and on a voluntary basis, measures to enhance reporting templates;

(d) To explore ways in which regional and subregional organizations can assist States, upon request, in the preparation of national reports for the Programme of Action and relevant regional instruments in the development of national action plans;

(e) To assist regional and subregional organizations, upon request, in building Member State capacity, as appropriate, on small arms issues, including through enhanced cooperation, as well as through the exchange of information and experiences on model legislation, best practices, transfers of small arms and light weapons and other relevant matters;

(f) To establish, where appropriate, subregional or regional mechanisms, in particular transborder customs cooperation and networks for information-sharing among law enforcement, border and customs control agencies, with a view to preventing, combating and eradicating the illicit trade in small arms and light weapons across borders.

III. Preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects at the global level

4. In implementing the Programme of Action at the global level, Member States, where they have not yet done so, undertake:

(a) To cooperate with the United Nations system to ensure the effective implementation of arms embargoes decided upon by the United Nations Security Council in accordance with the Charter of the United Nations;

(b) To cooperate within the United Nations system in allocating adequate resources and assistance to Member States, upon their request, to strengthen the safe storage and responsible disposal of surplus stocks of, or unmarked or inadequately marked, illicit small arms and light weapons;

(c) To increase, as appropriate, cooperation in concrete ways with relevant international organizations such as the World Customs Organization and the International Criminal Police Organization (INTERPOL), on building capacity for effectively countering the illicit trade in small arms and light weapons at the national, regional and global levels, and to identify those groups and individuals engaged in the illicit trade in small arms and light weapons in all its aspects in order to allow national authorities to proceed against them in accordance with their national laws;

(d) To encourage States which have not done so to consider ratifying or acceding to related international legal instruments against terrorism and transnational organized crime, including the Firearms Protocol;

(e) To encourage appropriate cooperation with civil society and academia in activities related to the prevention, combating and eradication of the illicit trade in small arms and light weapons in all its aspects.

IV. Implementation, international cooperation and assistance

5. States stress that international cooperation and assistance remain critical to the full and effective implementation of the Programme of Action and the International Tracing Instrument, including the continuing commitment of donor and recipient States to ensuring its effectiveness and measurability. To this end, States, where they have not yet done so, undertake:

(a) To cooperate and to ensure coordination, complementarity and synergy in efforts to deal with the illicit trade in small arms and light weapons in all its aspects at the global, regional, subregional and national levels, including through South-South and triangular cooperation, and to encourage the establishment and strengthening of cooperation and partnerships at all levels among international and intergovernmental organizations and civil society, including non-governmental organizations and international financial institutions;

(b) To encourage assistance from States and regional and international organizations, including the United Nations Office for Disarmament Affairs, to States, upon their request, in building capacity to implement the Programme of Action fully and effectively as well as to identify, prioritize and communicate their assistance needs to the Office, including by supporting comprehensive needs assessments;

(c) To encourage the development of mechanisms to increase the effectiveness of international cooperation and assistance, including to identify assistance needs and the effectiveness of such assistance;

(d) To seriously consider responding to assistance requests to enhance the capacity of States to effectively implement the Programme of Action;

(e) To explore means of ensuring the sustainability of assistance, including improving trust fund arrangements, in cooperation with relevant international and regional organizations, including the United Nations Regional Centres for Peace and Disarmament;

(f) To provide financial assistance, where appropriate, through a voluntary sponsorship fund, to enable States that would otherwise be unable to do so to participate in meetings on the Programme of Action and the International Tracing Instrument.

Annex III

International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons

Implementation plan, 2012-2018

1. At the Second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, convened at United Nations Headquarters in New York from 27 August to 7 September 2012, States[a] resolved to redouble their efforts, within their reach and capacity, with a view to achieving the full and effective implementation of the International Tracing Instrument in the period from 2012 to 2018, in particular through the following actions.

I. Marking, record-keeping and cooperation in tracing

2. Taking into account the interlinked and mutually reinforcing nature of marking, record-keeping and tracing, and that the choice of methods for marking small arms and light weapons is a national prerogative, States undertake:

(a) To strengthen national measures on weapons marking, including, where possible, marking upon import; measures to recover erased or altered markings; and markings aimed at preventing parts and components from being subsequently reassembled without markings;

(b) To enhance procedures for the accurate identification of small arms and light weapons and the establishment of accurate and comprehensive record-keeping, including the continuous and sustainable training of law enforcement officials in registering the marks;

(c) To strengthen, as necessary, inter-agency coordination at the national level in order to ensure timely responses to tracing requests, by, inter alia, designating one or more national points of contact and clarifying their roles, enhancing the access of competent national authorities to information through the points of contact; and establishing or strengthening national coordination between relevant bodies and national action plans, where and as appropriate;

(d) To enhance measures to prevent the diversion of small arms and light weapons, including the increased exchange of tracing results and other relevant information with appropriate national authorities, as well as the harmonization of relevant tools and practices, as appropriate, at the national, regional and global levels;

(e) To cooperate, when appropriate, with the relevant bodies, organs and missions of the United Nations, in accordance with their respective mandates and

[a] The use of the term "States" herein is meant to be in conformity with the use of the term in the International Tracing Instrument.

competencies, to strengthen the tracing of illicit small arms and light weapons when and as stipulated in the provisions of the International Tracing Instrument;

(e) bis To establish national points of contact to facilitate cooperation in tracing as required by the International Tracing Instrument.

II. Implementation

3. Taking into account the importance of national measures and international cooperation and assistance for the full and effective implementation of the International Tracing Instrument, States undertake:

(a) If they have not already done so, to put in place or strengthen the laws, regulations and administrative procedures needed for the marking, record-keeping and cooperation in tracing requirements of the International Tracing Instrument, in accordance with their constitutional processes and in order to prevent, combat and eradicate the illicit trafficking of small arms and light weapons;

(a) bis To increase, when needed and as appropriate, national, regional and global efforts on the establishment of the necessary legal, administrative and technical infrastructure to allow for the effective implementation of the requirements of the International Tracing Instrument;

(b) To provide, when in a position to do so and upon request, technical and financial assistance measures to facilitate relevant technology, equipment and training, and capacity-building to improve national marking, tracing, record-keeping capacities, as necessary, to support the effective implementation of the Instrument by States;

(c) To consistently include, where appropriate, in their small arms and light weapons tracing procedures the use of International Criminal Police Organization (INTERPOL) tracing and firearm identification tools, and to enhance cooperation, as appropriate, with INTERPOL and the World Customs Organization in building capacity, upon request, for marking, record-keeping and tracing at the national, regional and global levels;

(d) To enhance, as appropriate and on a voluntary basis, the sharing of information on national marking practices and of relevant technical research, including through the enhanced utilization of the Programme of Action Implementation Support System;

(e) To enhance linkages, when appropriate, with the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Supplementary Protocols thereto and other relevant processes, in particular with regard to implementation efforts at the national, regional and global levels;

(f) To consider elements regarding the role, function, frequency of meetings, composition and budgetary implications of, in particular the resources required for, a technical committee, which may draw upon expertise available from industry, to strengthen the implementation of the International Tracing Instrument by considering, inter alia:

(i) The implications of recent developments in small arms and light weapons design and manufacturing technology for effective marking, record-keeping and tracing;

(ii) Ways to support the uptake and effective utilization of available tools and technologies for marking, record-keeping and tracing;

(iii) Best practices in international assistance and capacity-building, including the transfer of technology;

(g) As part of their biennial voluntary national reports on the Programme of Action, to continue to submit information on their implementation of the International Tracing Instrument and to utilize the national reports, together with the clearing house mechanism of the Programme of Action Implementation Support System, which matches needs with resources, for the submission of assistance requests;

(h) To also utilize voluntary national reports to provide information on technical, financial and other assistance, including the provision of relevant equipment and international cooperation on technology development, including the provision of marking machines, as well as expertise for the development of appropriate regulatory and legal measures, where appropriate.

Annex IV

Schedule of meetings, 2012-2018

States/Member States, having gathered at the Second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which took place in New York from 27 August to 7 September 2012,

Reaffirming the importance of enhancing the coherence and continuity of the Programme of Action implementation process,

Reaffirming also, in this regard, the utility of standardizing the schedule of meetings to the fullest extent possible,

Recalling the recommendation to clearly define and distinguish the mandates of Programme of Action meetings, as well as to link and ensure the complementarity of meeting mandates and outcomes,[a] such as those of the Review Conferences, the Biennial Meetings of States and the Open-ended Meeting of Governmental Experts,

Recalling also that the Second Review Conference is expected to consider the possibility of convening a further open-ended meeting of governmental experts,[b]

Reiterating that States have agreed to review the implementation and future development of the International Tracing Instrument within the framework of conferences that review the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[c]

Schedule of meetings

1. *Decide* to hold, in accordance with the relevant provision of the Programme of Action, a one-week biennial meeting of States in 2014 and in 2016, with one or both meetings possibly being convened as meetings of governmental experts in the light of arising priorities in the relevant two-year period;

2. *Also decide* to hold a third review conference in 2018, which should be scheduled as a two-week event and be preceded by a one-week Preparatory Committee meeting;

3. *Stress* that international cooperation and assistance, including capacity-building, are of critical importance in furthering the implementation of the Programme of Action and the International Tracing Instrument, and therefore decide that this topic should be an integral element of all meetings under the Programme of Action and the International Tracing Instrument;

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[a] See A/CONF.192/BMS/2010/3, paras. 34 and 48.

[b] See resolution 66/47, para. 14, resolution 65/64, para. 20, and A/CONF.192/BMS/2010/3, para. 44.

[c] See A/60/88 and Corr.2, annex, para. 38.

Regional meetings

4. *Emphasize* the importance of regional approaches to the implementation of the Programme of Action, and in this regard, further encourage interested States and international and regional organizations in a position to do so to convene regional meetings in preparation for, and/or to follow up on, the meetings on the Programme of Action;[d]

5. *Consider* at the regional level, where relevant, the alignment of regional agendas regarding small arms and light weapons with the global cycle of meetings, so as to ensure a maximum of synergies between actions taken at the national, regional and global levels;

National reporting

6. *Reaffirm* the utility of synchronizing national reporting, on a voluntary basis, with biennial meetings of States and review conferences, as a means to increase the number and quality of reports, as well as to contribute substantively to the discussions at the meetings;[e]

Support for meeting participation

7. *Encourage* States in a position to do so, with a view to promoting the wider and more equitable participation of States in the meetings on the Programme of Action, to provide financial assistance, through a voluntary sponsorship fund where appropriate, to enable States that would otherwise be unable to do so to participate in meetings on the Programme of Action.[f]

[d] See resolution 65/64, para. 22.

[e] See A/CONF.192/BMS/2010/3, paras. 35 and 38.

[f] See resolution 66/47, para. 15, resolution 65/64, para. 21, and A/CONF.192/BMS/2010/3, paras. 37 and 43.